

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Atsushi MIYAWAKI et al. **Confirmation No. : 5555**
Group Art Unit : 1645
Serial No : 10/575,900
(National Stage of PCT/JP2004/015671)
Examiner: Lisa COOK
I.A. Filed : October 15, 2004
For : FLUORESCENT INDICATOR USING FRET

**INTERVIEW SUMMARY AND
REQUEST TO ISSUE NEW OFFICE ACTION**

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Further to the Office Action mailed June 26, 2009, Applicants respectfully request that the Examiner mail a new Office Action and restart the time period to reply.

As pointed out to the Examiner in a telephone interview on July 1, 2009 by Applicants' representative, Sean Myers-Payne, the Office Action treated the original claims (no longer pending) instead of the claims as amended in the Preliminary Amendment, and consequently, objections have been raised relating to improper multiple dependent claims that no longer exist. The Examiner agreed in the telephone interview to issue a new Office Action and a restart of the time period for response.

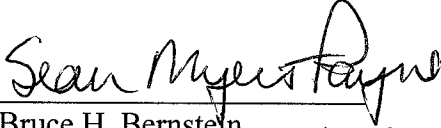
Having not received a new Office Action by September 26, 2009, Applicants' representative contacted the Examiner's Supervisor, Mark Shibuya, who indicated that he would follow up with the Examiner and request a new Office Action be mailed. In a

telephone call on October 23, 2009, Examiner Shibuya indicated that he would again follow up with the Examiner with a request for new Office Action.

Applicants appreciate the courtesies extended to Applicants' representative during the several telephone calls relating to this issue. Applicants file this paper so that the written record accurately reflects discussions Applicants' representatives have had with Patent Office representatives.

Applicants take this opportunity formally to request an Office Action on the pending claims.

Respectfully submitted,
Atsushi MIYAWAKI et al.


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October 23, 2009
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